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9	IN THE UNITED STATES DISTRICT COURT
10	FOR THE NORTHERN DISTRICT OF CALIFORNIA
11	RONALDO AYALA,) No. C 15-3037 RMW (PR)
12	Plaintiff,) ORDER REQUESTING
13) LITIGATION COORDINATOR TO v.) PROVIDE COURT WITH MORE
14) INFORMATION FOR DR. J. GRANT, et al.,) DEFENDANT T. PETERSON
15	Defendants.
16	
17	Plaintiff, a California state prisoner proceeding <u>pro</u> <u>se</u> , filed a civil action in state court.
18	Defendants filed a notice of removal to federal court because plaintiff's complaint indicated that
19 20	he was filing a lawsuit pursuant to 42 U.S.C. § 1983. Liberally construing plaintiff's complaint, the court found cognizable claims of excessive force, retaliation, and deliberate indifference to
21	serious medical needs. On November 6, 2016, a notice of lawsuit and request for waiver of
22	service of summons was mailed to defendant T. Peterson at San Quentin State Prison. On
23	December 10, 2015, the documents were returned with a notation that the defendant was no
24	longer worked at the institution. (Docket No. 7.) On January 19, 2016, the court issued an
25	order directing plaintiff to provide more information for Defendant T. Peterson so that he could
26	be served. (Docket No. 8.) In response to the court's request, plaintiff filed notice that
27	Defendant T. Peterson was transferred to another institution within the California Department of
28	Corrections and Rehabilitation, but that plaintiff is not privy to the institution to which
	Order Requesting Litigation Coordinator Provide Court with More Info. for Def. RN T. Peterson P:\PRO-SE\RMW\CR.15\Ayala037moreinfo2-Peterson.wpd

Defendant T. Peterson was transferred. (Docket No. 19.)

In the interest of justice, the court requests that the Litigation Coordinator at San Quentin State Prison ("SQSP") determine if defendant T. Peterson is still employed with the California Department of Corrections and Rehabilitation ("CDCR"), and if so, to provide the court with a current employment address for the defendant. If he is a former employee but no longer employed with CDCR, the Litigation Coordinator is requested to provide a forwarding address, or notice that such information is not available.

CONCLUSION

- 1. The clerk shall send a copy of this order to the Litigation Coordinator at San Quentin State Prison. The Litigation Coordinator at SQSP is requested to determine if T. Peterson is employed at another institution with CDCR, and if so, to provide the court with the current employment address for defendant **within thirty (30) days** of the filing date of this order.
- 3. Plaintiff is warned that, notwithstanding this order, his claims against defendant are subject to dismissal without prejudice under Federal Rule of Civil Procedure 4(m) where defendant has not been served within 90 days after the complaint is filed.

DATED: 3/11/2016

RONALD M. WHYTE
United States District Judge